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PTO/SB/30 (08-03)

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/043,671
Filing Date	January 11, 2002
First Named Inventor	Hiromu Kitamura et al.
Art Unit	2682
Examiner Name	Lewis G. West
Attorney Docket Number	15215

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)  
ii.  Affidavit(s)/Declaration(s)      iv.  Other \_\_\_\_\_

**2. Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-1013/SSMP

i.  RCE fee required under 37 CFR 1.17(e)  
ii.  Extension of time fee (37 CFR 1.136 and 1.17)  
iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ 790 enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	Paul J. Esatto, Jr.	Registration No. (Attorney / Agent)	30,749
Signature	/	Date	February 28, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Paul J. Esatto, Jr.	Date	February 28, 2005
Signature	/	Date	February 28, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Hiromu KITAMURA, et al.

**Examiner:** Lewis G. West

**Serial No:** 10/043,671

**Art Unit:** 2682

**Filed:** January 11, 2002

**Docket:** 15215

**For:** PORTABLE TELEPHONE,  
DIFFUSER AND LIGHTING  
DEVICE PROVIDED THEREIN

**Dated:** February 28, 2005

**Conf. No.:** 8218

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37 C.F.R. 1.114**

Sir:

In response to the Official Action dated December 28, 2004, Applicants respectfully request continued examination of the above-identified application in light of the following amendments and remarks:

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

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Dated: February 28, 2005

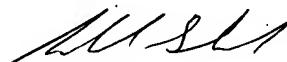
  
Aasheesh V. Shravah

patentable over the cited references because the cited references, individually or in combination, fail to teach the elements of independent claim 1. As such, it is respectfully submitted that claims 2-8 are in allowable form.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection of claims 1-2, 4-6 and 8 as unpatentable over Kenmochi in view of Son, the 35 U.S.C. §103(a) rejection of claims 1, 3, 5 and 7 as unpatentable over Parker in view of Son, and the 35 U.S.C. §103(a) rejection of claim 1 as unpatentable over Larose in view of Son. Further, Applicants respectfully request allowance of claims 1-8.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorney would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



Aasheesh V. Shravah  
Registration No. 54,445

SCULLY, SCOTT, MURPHY & PRESSER  
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AVS:jam

**AMENDMENT TRANSMITTAL LETTER (Large Entity)**Applicant(s): **Hiromu Kitamura et al.**

Docket No.

**15215**

Application No. <b>10/043,671</b>	Filing Date <b>January 11, 2002</b>	Examiner <b>Lewis G. West</b>	Customer No. <b>23389</b>	Group Art Unit <b>2682</b>	Confirmation No. <b>8218</b>
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Invention **1 PORTABLE TELEPHONE, DIFFUSER AND LIGHTING DEVICE PROVIDED THEREIN**COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
<b>TOTAL CLAIMS</b>	<b>8</b>	<b>20 =</b>	<b>0</b>	<b>x \$50.00</b>	<b>\$0.00</b>
<b>INDEP. CLAIMS</b>	<b>1</b>	<b>3 =</b>	<b>0</b>	<b>x \$200.00</b>	<b>\$0.00</b>
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					<b>\$0.00</b>
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>

No additional fee is required for amendment.

Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_

A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.

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Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

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Signature

Dated: **February 28, 2005****Aasheesh V. Shravah**

Reg. No. 54,445

**SCULLY, SCOTT, MURPHY & PRESSER****400 Garden City Plaza - Ste. 300****Garden City, NY 11530****(516) 742-4343****AVS:jam**

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(Date)

**Signature of Person Mailing Correspondence****Aasheesh V. Shravah****Typed or Printed Name of Person Mailing Correspondence**

cc: